

**CITY OF WHITE SALMON
ORDINANCE NO. 2014-12-958**

AN ORDINANCE OF THE CITY OF WHITE SALMON, WASHINGTON, AMENDING PROVISIONS FOR ALTERING SHORT PLATS, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, RCW 58.17.060 provides that a City shall establish procedures for the alteration of short plats; and

WHEREAS, the current ordinance appears to limit short plat alteration procedures to short plats involving a public dedication, when the procedure should apply to all short plats and can be amended to include all short plats consisted with the procedures set forth in RCW 58.17.215.

NOW, THEREFORE, the City Council of the City of White Salmon do ordain as follows:

Section 1. Amending Short Plat Alteration Ordinance WSMC 16.65.080:

Key: Added = underlined
Deleted = ~~strikethrough~~

16.65.080 Short Plat Alteration ~~Involving a Public Dedication~~. When any person desires to alter any short plat ~~involving a public dedication~~ or the altering of any portion thereof ~~that involves a public dedication~~, except as provided in Section 16.65.030, that person shall submit an application to request the alteration to the council. Upon receipt of an application for alteration, the council shall provide notice of the application to all owners of property within a short plat, and as provided for in Section 16.65.060(B). The notice shall establish a date for public hearing.

1. **Signatures.** The application shall contain the signatures of the owner(s) of the lots, tracts, parcels, sites or divisions in the subject short plat or portion to be altered. If the short plat is subject to restrictive covenants which were filed at the time of the approval of the short plat, and the application for alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the short plat or portion thereof.
2. **Determination of public interest.** The council shall determine the public use and interest in the proposed alteration and may deny or approve the application for alteration. If any land within the alteration is part of an assessment district, any outstanding assessment shall be equitably divided and levied against the remaining lots, parcels or tracts, or be levied equitably on the lots resulting from the alteration. If any land within the alteration contains a dedication to the general use of persons residing within the short plat, such land may be altered and divided equitably between the adjacent properties.

3. Revision of final plat. After approval of the alteration, the council shall order the applicant to produce a revised drawing of approved alteration of the short plat, which after signature of the mayor, shall be filed with the county auditor to become the lawful plat of the property.


Section 3. Severability. If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

Section 4. Effective Date. This ordinance shall become effective following passage and publication as provided by law.

PASSED in regular session this 17th day of December, 2014.

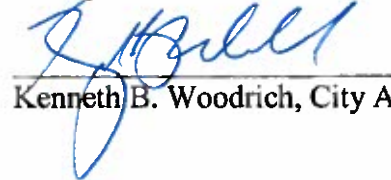


David Poucher, Mayor



Leana Johnson, Clerk/Treasurer

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney